



PUBLIC NOTICE

Termination of Contaminated Site Cleanup Order, Denial of Dangerous Waste Management Permit & Termination of Interim Status for Univar-Spokane

November 1, 2006

Proposed decisions available for public comment

Univar USA Inc. has satisfied the requirements of a U.S. Environmental Protection Agency (EPA) Administrative Order on Consent and EPA intends to terminate this order. In addition, the Washington Department of Ecology (Ecology) proposes to deny a dangerous waste management facility permit to Univar for this facility and concurrently terminate interim status for the facility.

The result of the decisions, if implemented, will be that management of dangerous wastes requiring a treatment, storage or disposal permit will no longer be allowed at this facility. Anyone who wishes to treat, store, or dispose of dangerous waste at this site will be required to obtain a dangerous waste management facility permit prior to the start of any dangerous waste activity that is not specifically exempt from permitting under Chapter 173-303 of the Washington Administrative Code. The termination of EPA's order indicates that human health and ecological risks have been addressed and EPA proposes to take no further cleanup actions at this site.

The public's comments are due by December 15, 2006. See page 2 for more information.

Background

The Univar (formerly known as Van Waters & Rogers, Inc.) facility is located at 4515 East Wisconsin Avenue in Spokane. Beginning operation in 1969, Univar accepted bulk shipments of mineral acids, volatile hydrocarbon solvents, and antifreeze formulations and repackaged them into smaller quantities for distribution. In addition to the repackaged chemicals, Univar stored other chemical products, including a line of pesticides.

In 1980, Univar submitted a permit application to become a Resource Conservation and Recovery Act (RCRA) interim status treatment, storage, and disposal facility. "Interim status" is available to facilities that existed before they became regulated by the federal hazardous waste laws and/or the state dangerous waste regulations. It allows a facility to continue operating while it and the regulating agencies complete the process leading to a final permit decision. Both state and federal regulations require a facility having interim status to submit a detailed permit application for their "final status" permit. However, In 1985 Univar informed EPA and Ecology of their intent to close all interim status hazardous waste handling areas. In January 1985, Univar submitted the first in a series of closure plans culminating in final revisions submitted in 1991. In 1994, Ecology determined that all the regulated hazardous waste tank and storage areas were properly closed under the Washington State Dangerous Waste regulations, the state equivalent of Federal RCRA regulations.

Following closure of tank and container storage areas, the only remaining obligation was cleanup of contaminated soil and groundwater identified in a RCRA Facility Investigation report. Pursuant to this obligation, Univar implemented cleanup activities to remove contaminated surface soil, extract vapor from the subsurface, and restore the groundwater to drinking water standards.

In March 1999, Univar submitted a Final Corrective Measures Completion Report detailing the results of the remedy. After completing a review of the data in June 2000, EPA informed Univar that they met the terms of the remedy. However, due to competing resource demands, EPA did not take the final step of completing a "corrective action complete without controls" determination which formally concludes the cleanup process.

Under a broad initiative EPA is now revisiting facilities like Univar in an effort to return these former hazardous waste cleanup sites to productive use. Official recognition that cleanup is complete can help facilitate redevelopment and/or transfer of ownership of the property. It also allows the public an opportunity to review and comment on the cleanup results. In conjunction with this determination, Ecology seeks to deny a final RCRA permit and terminate interim status to formally conclude the permitting process.



November 1, 2006

EPA and Ecology draft decisions

To formally conclude the site cleanup process, EPA proposes a “corrective action complete without controls” determination for the cleanup order. To complete the permitting process, Ecology proposes to deny the final RCRA permit to Univar. When denying a permit, Ecology must also terminate interim status. This is because interim status applies only until Ecology either issues or denies a final permit.

State Environmental Policy Act (SEPA)

As the proposal is to deny the permit and to eliminate interim status, a SEPA review is not required.

Ecology and EPA welcomes comments

Ecology and EPA are seeking public comment on the proposed decisions. A public hearing may be scheduled if significant comments or requests are received. Ecology and EPA will provide a thirty-day advance notice of any scheduled hearing date. Additional information about these draft decisions can be obtained by contacting the staff noted below. Send comments to:

Greg Caron
Washington Dept. of Ecology
200 W. Yakima Ave, #200
Yakima, WA 98902-3452
e-mail address: grca461@ecy.wa.gov
(509) 454-7893
(800) 833-8973 (TDD)

To be considered, comments must be postmarked or received (by e-mail or via hand delivery) by December 15, 2006.

The most effective comments are those in which the commenter provides specific information describing why he or she believes Ecology’s and EPA’s action is inappropriate.

Responding to comments

Ecology and EPA will consider and respond to all written comments the public, agencies and the applicant submit by the deadline and to any testimony received during the hearing, if one is held. After considering the comments and testimony, Ecology and EPA will make its final decision, or a new tentative decision.

To review information

Documents concerning the RCRA investigation and cleanup efforts at Univar as well as the information Ecology and EPA used to make their decisions are available for public review at the following locations during normal working hours:

U.S. Environmental Protection Agency
Region 10 Library
1200 6th Avenue
Seattle, Washington 98101
Contact: Jeff Hunt
(206) 553-0256
toll free in WA/OR/ID/AK (800) 424-4EPA

Washington State Department of Ecology
Eastern Regional Office
N. 4601 Monroe
Spokane, WA 99205-1295
Contact: Johnnie Landis at
(509) 329-3415
TTY relay service for speech or hearing
impaired: 711 or 1-800-833-6388

HWTR
Department of Ecology
PO Box 47600
Olympia WA 98504-7600

Information on proposed permit denial issued for public comment. We used several mailing lists. If you receive a duplicate, please pass on.